



In the Matter of:

DAVID W. PICKETT,

ARB CASE NO. 00-076

COMPLAINANT,

ALJ CASE NO. 00-CAA-9

v.

DATE: May 14, 2003

**TENNESSEE VALLEY AUTHORITY (TVA),
OFFICE OF INSPECTOR GENERAL (OIG),
GEORGE PROSSER & DONALD DRUMM,**

RESPONDENTS.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

Appearances:

For the Complainant:

Edward A. Slavin, Jr., Esq., *St. Augustine, Florida*

For the Respondents:

Edward S. Christenbury, Esq., Thomas F. Fine, Esq., Brent R. Marquand, Esq.,
Dillis D. Freeman, Jr., Esq., *Tennessee Valley Authority, Knoxville, Tennessee*

**ORDER DENYING COMPLAINANT'S MOTION TO
VACATE DECISION AND TO DISQUALIFY THE PANEL MEMBERS**

On April 23, 2003, the Administrative Review Board issued a Final Decision and Order in this case, arising under a number of environmental statutes.¹ This Final Decision adopted a Department of Labor Administrative Law Judge's Recommended Decision and Order granting Respondents' Motion for Summary Judgment and dismissing complainant David Picketts'

¹ These statutes include: the Safe Drinking Water Act (SDWA), 42 U.S.C. § 300j-9(i) (1994), Clean Air Act (CAA), 42 U.S.C. § 7622 (1994), Water Pollution Control Act or Clean Water Act (CWA), 33 U.S.C. § 1367 (1994), Toxic Substances Control Act (TSCA), 15 U.S.C. § 2622 (1994), Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. § 9610 (1994), and Resource Conservation and Recovery (RCRA) or Solid Waste Disposal Act (SWDA), 42 U.S.C. § 6971 (1994).

complaint. *Pickett v. Tennessee Valley Authority*, ARB No. 00-076, ALJ No. 00-CAA-9. Pickett subsequently filed a Motion to vacate the decision and to disqualify the panel members.

We have reviewed Pickett's motion and having found the motion to be unsupported by the facts and the applicable law, we **DENY** it.

SO ORDERED.

M. CYNTHIA DOUGLASS
Chief Administrative Appeals Judge

WAYNE C. BEYER
Administrative Appeals Judge

JUDITH S. BOGGS
Administrative Appeals Judge

OLIVER M. TRANSUE
Administrative Appeals Judge